

REMARKS

Applicant acknowledges, with appreciation, the allowance of claims 13, 14 and 20-27, as well as the indication that claim 16 contains allowable subject matter. Claims 13-27 are pending in this application, with claims 13, 15, 18, 20 and 24-27 being the independent claims. The Abstract of the Disclosure has been amended. Claims 18 and 19 have been canceled. Claims 13 and 15 have been amended. Support for the amendment to claim 15 may be found, for example, at pg. 6, line 24 thru pg. 7, line 32 of the originally filed specification. No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

Claim 13 has been objected to based on certain informalities. In response to this objection, Applicant has amended the claims to address each specific objection. Withdrawal of the objection is in order.

In the Office Action dated February 22, 2006, independent claim 15, and dependent claim 17 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,528,198 ("Baba") in view of U.S. Patent No. 4,953,185 ("Goode"). Applicant notes the Examiner has indicated the rejection is based on 35 U.S.C. §102(b). However, the Examiner has combined multiple references to reject claims 15 and 17. For purposes of this Amendment, Applicant will respond to the rejection based on 35 U.S.C. §103(a). For the following reasons, Applicant respectfully asserts that all claims of the present application are patentable over the cited references.

The present invention relates to digital data transmission in which propagation assurance is realized by using parallel paths. A transmission of data is transmitted along each of the parallel paths. Accordingly, if a problem occurs on one of the paths, the transmission can be received via one of the other paths. Parallel clock signals are received and one of the parallel clock signals is determined to be the selected signal which is output by the receiving device. Ideally, the selected signal is the most error-free signal. Errors in the selected signal which require a change are determined by monitoring the reliability of the clock signal of the transmission using a phase lock loop. If the phase lock loop determines that the selected signal is unreliably locked (i.e., if the operational reliability of the phase locked loop is not sufficient), then a change of the selected clock signal to another one of the parallel clock signals is initiated (see page 4, lines 21-30 and page 5, lines 1-2 of the specification).

In contrast, *Baba* relates to a clock signal extraction apparatus having a plurality of selectable phase shifted outputs. *Baba* (col. 2, lines 41-56) teaches the selection of the clock signal with a phase that is closest to the phase of an incoming data signal. Thus, *Baba* teaches a clock is generated at the location that the data signal is received. However, *Baba* fails to teach the claimed invention recited in amended independent claim 15. That is, *Baba* fails to teach or suggest the limitation "means for detecting whether ... first and second clock signals are in an identical mode and that a polarity of a signal phase difference is inverted, [where] the change of the selected clock signal occurs after a delay to ensure that the changeover occurs while the clock signals are static," as recited in amended independent claim 15.

The Examiner relies upon *Goode* to address the failure of *Baba* to teach an indication of unreliability of locking the selected clock signals. *Goode* relates to a clock recovery circuit for use in a digital TDM mobile radio system. *Goode* (col. 3, lines 2-4) teaches a clock signal is provided from a recovered data signal and that synchronization is maintained through mobile transmitter bursts and received signal fades. *Goode* (col. 3, lines 4-9) further teaches the addition of a second phase-locked loop to the clock recovery circuit and intelligent switching between the two phase-locked loops to provide "holding" of the recovered clock phase of a remote unit during transmit and during receive fades. *Goode* (col. 3, lines 9-15) states, "the first loop is used to acquire synchronization with a received data signal, and the second loop is configured to either acquire synchronization to the first loop, or to free-run during periods of time when the first loop is not locked, i.e., during loss of signal conditions such as RF fades, or during periods of transmit in a simplex or TDM radio system".

However, *Goode* fails to teach the "means for detecting whether the first and second clock signals are in an identical mode and that a polarity of a signal phase difference is inverted, [where] wherein the change of the selected clock signal occurs after a delay to ensure that the changeover occurs while the clock signals are static," as recited in amended independent claim 15. Consequently, dependent claim 15 is patentable over the combination of *Baba* and *Goode*, withdrawal of the rejection under 35 U.S.C. §103 is in order, and a notice to that effect is earnestly solicited.

In view of the patentability of independent claims 13, 15, 18, 20 and 24-27, for the reasons set forth above, dependent claims 14, 16, 17 and 21-23 are all patentable over the prior art.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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